



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

INVENTOR: Hiok-Nam TAY
ATTORNEY DOCKET NO.: 09785980-0054
SERIAL NO.: 09/982,540
FILED: October 17, 2001
TITLE: **ARRANGEMENT OF MICROLENSSES IN A SOLID-STATE IMAGE SENSOR FOR IMPROVING SIGNAL TO NOISE RATIO**
GROUP ART UNIT: To be assigned
EXAMINER: To be Assigned

PETITION UNDER 37 C.F.R. §1.47(b) TO MAKE APPLICATION FOR PATENT

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Commissioner for Patents
Washington, D.C. 20231

Dear S I R:

This is a petition under 37 C.F.R. §1.47(b) by Conexant Systems, Inc. to make application for patent on behalf of and as the 37 CFR 1.47(b) agent for all the inventors in connection with application number 09/982,540 filed on October 17, 2001.

(A) Declaration by 37 CFR 1.47(b) Applicant

This petition accompanies the enclosed, signed declaration. The 37 CFR 1.47(b) Applicant is Conexant Systems, Inc., a corporation. The enclosed declaration was signed on behalf of the corporation by **Dennis E. O'Reilly**, Sr. Vice President, General Counsel & Secretary of Conexant Systems, Inc., 4311 Jamboree Road, Newport Beach, California 92660-3095.

(B) Relationship of 37 CFR 1.47(b) Applicant to the Inventor

The 37 CFR 1.47(b) applicant is the former employer of the inventor.

(C) Proof of Refusal

Submitted as proof that the inventor refuses to execute the application papers is the following:

EXHIBIT A: On September 5, 2001, a first certified letter, return receipt requested was mailed from Applicant's attorney to Hiok-Nam Tay at 6 Mount Vernon, Irvine, California 92620, Hiok-Nam Tay's home address. The first certified letter was accompanied by a copy

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of the application papers (specification, including claims, drawings, and declaration) for his signature. As indicated on the enclosed documents, after two attempted by the U.S. Post Office to deliver the letter and have Mr. Tay sign the return receipt, the first certified letter was returned to Applicant's attorney.

EXHIBIT B: On September 28, 2001, a second certified letter, return receipt requested was mailed from Applicant's attorney to Hiok-Nam Tay at 6 Mount Vernon, Irvine, California 92620, Hiok-Nam Tay's home address. The second certified letter was accompanied by a copy of the application papers (specification, including claims, drawings, and declaration) for his signature. As indicated on the enclosed documents, after two attempted by the U.S. Post Office to deliver the letter and have Mr. Tay sign the return receipt, the letter was returned to Applicant's attorney.

On February 3, 2002, Applicant's attorney Vincent Tassinari had a phone conversation with the wife of Mr. Tay, who verified that Hiok-Nam Tay's address during September 2001 and on February 3, 2002 was 6 Mount Vernon, Irvine, California 92620.

On February 26, 2002, Applicant's attorney Vincent Tassinari telephoned Michael Gould, the attorney for Hiok-Nam Tay. Mr. Gould stated that Hiok-Nam Tay would not sign any Declaration unless Conexant Systems, Inc. capitulated to certain conditions. First, Mr. Gould demanded that Hiok-Nam Tay receive a written agreement from Conexant Systems, Inc. which particularly defines the cooperation that Hiok-Nam Tay will and will not give in preparing and prosecuting patent applications for inventions that Hiok-Nam Tay invented while employed at Conexant Systems, Inc. Mr. Gould also demanded a written agreement from Conexant Systems, Inc. that sets out particular details as to what inventions Conexant Systems, Inc. has filed or will file in the future that may concern Hiok-Nam Tay. Accordingly, Mr. Gould refused to commit to have Hiok-Nam Tay act on the received Declaration by signing the Declaration.

(D) Last Known Address of the Inventor

The last known address of the inventor is Hiok-Nam Tay, 6 Mount Vernon, Irvine, California 92620.

(E) Written Agreement of Assignment from Inventor to 37 CFR 1.47(b) Applicant


EXHIBIT C: Enclosed with this petition is a copy of the Conexant Systems, Inc. Employment Agreement signed by Hiok-Nam Tay on November 22, 1999. By signing this agreement, Hiok-Nam Tay agreed to, among other things, assign to Conexant Systems, Inc., the 37 CFR 1.47(b) Applicant, all inventions made during his employment with the 37 CFR 1.47(b) Applicant. **EXHIBIT D:** To support the proof of proprietary interest, also enclosed is a statement by Prasan K. Pai, Director, Technology Planning, Conexant Systems, Inc. of his firsthand knowledge of the facts that the invention of the above-identified specification was made by Hiok-Nam Tay while employed by Conexant Systems, Inc.

(F) Necessity of Applicant Filing


The filing date is necessary to preserve the rights of the parties.

Respectfully submitted,
SONNENSCHN NATH & ROSENTHAL
Attorneys for Applicants

Dated: May 20, 2002

By: 

Vincent P. Tassinari, Reg. No. 42,179

<p>SONNENSCHN NATH & ROSENTHAL 8000 Sears Tower 233 South Wacker Drive Chicago, IL 60606-6342</p> <p>Attorney Customer Number: 026263 Phn: (312) 876-8000 Fax: (312) 876-7934</p>	<p>CERTIFICATE OF MAILING</p> <p>I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as First Class Mail in an envelope addressed to: BOX Missing Parts, Commissioner for Patents, Washington, D.C. 20231 on May 20, 2002.</p> <p> J J O J — _____ Rose M. Garza Date: May 20, 2002</p>
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